



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy O'Brien et al. Group Art Unit: 1642
Serial No.: 10/715,066 Examiner: Reddig, Peter J.
Filed: November 17, 2003 Docket No.: 110.018US3
Title: CA125 GENE AND ITS USE FOR DIAGNOSTIC AND
THERAPEUTIC INTERVENTIONS

DECLARATION UNDER 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We, Timothy O'Brien, John Beard, and Lowell Underwood, declare and say as follows:

1. We are co-inventors of the subject matter claimed in the above-identified U.S. Patent Application Serial No. 10/715,066, filed November 17, 2003, which claims priority to provisional application serial no. 60/427,045, filed on November 15, 2002.
2. We are also coauthors with Kazushi Shigemasa of the cited paper O'Brien, T.J., J.B. Beard, L.J. Underwood, and K. Shigimasa (2002) "The CA125 gene: a newly discovered extension of the glycosylated N-terminal domain doubles the size of this extracellular superstructure." *Tumor Biology* 23:154-169.
3. Kazushi Shigamasa was a research fellow in our laboratory, visiting from Japan, when he contributed to the work reported in the cited paper. He performed some experiments analyzing the biological role of CA125 in cancer. He did not have a significant role in cloning and sequencing CA125 nucleic acids.
4. Although Dr. Shigamasa is a coauthor of the cited paper, he is not a coinventor of the subject matter disclosed therein.
5. We further declare that all statements made herein of our own knowledge are true, and that all statements made on information or belief are believed by us to be true; and further that these statements are made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001

of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: Oct 26/06By: Timothy O'Brien

Timothy O'Brien

Dated: 10/30/06By: John Beard

John Beard

Dated: 11/2/06By: Lowell Underwood

Lowell Underwood